

THE LINDEN ROSELLE SEWERAGE AUTHORITY

The minutes of the regular meeting held on Wednesday, December 18, 2019 at 12:05 P.M. in the office of the Linden Roselle Sewerage Authority.

Chairman Strano announced that the Public Notice of time and date of the Public Meeting has been duly executed in accordance with the Open Public Meeting Act, P.L., 1975, Ch. 231, notification being mailed 12/28/18 to the Local Source, Star Ledger, Home News Tribune, and to the municipal clerks of Linden and Roselle for posting in a public place.

Present: Ralph Strano, Chairman; Jamel Holley, Vice-Chairman; Edward Mikolajczyk, Treasurer; Mayor Armstead, Secretary; James Moore, Alternate Member; Reginald Atkins, Alternate Member – via conference call.

Attending: David G. Brown II, Executive Director; Jeffrey A. Williams, Superintendent; Thomas Laustsen, CDM Smith; Sean McGowan, Authority's Attorney;

MOTION: Upon motion of Mr. Strano, seconded by Mr. Mikolajczyk, the Board unanimously approved the Agenda set forth below.

Recorded Vote: Mr. Strano – Yes; Mr. Armstead – Yes;
Mr. Holley – Yes; Mr. Mikolajczyk – Yes;

MOTION: Upon motion of Mr. Armstead, seconded by Mr. Mikolajczyk, the Board unanimously approved the minutes of the November 26, 2019 Regular Board Monthly Meeting.

Recorded Vote: Mr. Strano – Yes; Mr. Armstead – Yes;
Mr. Holley – Yes; Mr. Mikolajczyk – Yes;

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Armstead, the Board unanimously accepted Treasury Report as read.

Recorded Vote: Mr. Strano – Yes; Mr. Armstead – Yes;
Mr. Holley – Yes; Mr. Mikolajczyk – Yes;

EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented to the Board his monthly report (see attached report).
No questions of the Executive Director's report.

SUPERINTENDENT'S REPORT

Superintendent presented to the Board his monthly report (see attached report).
No questions of the Superintendent's report.

ENGINEERS REPORT

Engineer presented his written report to the Board (see attached report).
No other questions of the Engineer's report.

*LINDEN ROSELLE SEWERAGE AUTHORITY
MEETING MINUTES
December 18, 2019*

BUSINESS AGENDA

Resolution #93-19

Adoption of 2020 Authority Budget

The budget was presented and approved at the October meeting. It was sent to the Division of Local Government Services and has been approved. The Executive Director asked for adoption of the 2020 Authority Budget as per Resolution #93-19.

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Armstead, the Board unanimously approved Resolution #93-19 as read and presented; to adopt 2020 Authority Budget. (Resolution #93-19 attached).

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Mikolajczyk - Yes; Mr. Holley - Yes;

Resolution #94-19

Appointment of Affirmative Action Officer

A Public Agency Compliance Officer (PACO) is required to be appointed annually. The Executive Director is recommending that Mary Richers be appointed to this position for 2020.

MOTION: Upon motion of Mr. Strano, seconded by Mr. Armstead, the Board unanimously approved Resolution #94-19 as read and presented; appointing Mary Richers as the Public Agency Compliance Officer for 2020. (Resolution #94-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

LRSA Proposed Meeting Dates for 2020

The proposed monthly Board Meeting dates for 2020 to be held at 12:00 Noon were presented and approved; also proposed monthly Personnel Committee Meeting dates to be held at 9:30 AM were presented and approved.

MOTION: Upon motion of Mr. Armstead, seconded by Mr. Mikolajczyk the Board unanimously approved the calendar of the Board meeting dates for 2019 to be held at 12 Noon. Also, approved the calendar of the Personnel Committee meeting dates for 2020 to be held at 9:30 AM.

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

Resolution #95-19

Adopting of the Permit Renewal for Cogen Technologies Linden Venture

The Executive Director stated that Cogen Technologies Linden Venture, an industrial user of the LRSA facilities has applied for an Industrial Discharge Permit Renewal in accordance with the requirements of the Authority's Rules and Regulations. The Authority has given proper notice of the application for renewal and for the proposed issuance of such permit by the Authority, in accordance with the applicable State and Federal Regulations. The draft permit was subject to public comment. No comments were received. Therefore the Executive Director and Staff are recommending the Board approve issuance of an Industrial Discharge Permit Renewal to Cogen Technologies, Linden Venture effective January 1, 2020.

MOTION: Upon motion of Mr. Holley, seconded by Mr. Armstead the Board unanimously approved as amended Resolution #95-19 as read and presented. (Resolution #95-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

Resolution #96-19

Approving an Amendment to the Certificate of Formation for LRSA to change the Registered Agent from the City of Linden's Clerk to the LRSA at 5005 S. Wood Ave., Linden, NJ 07036

Attorney stated that Resolution #96-19 is to change the Registered Agent from the City of Linden to the Linden Roselle Sewerage Authority as a Registered Agent and, therefore, receive service of process on its own behalf at its offices at 5005 S. Wood Ave., Linden, NJ, rather than the City of Linden. Attorney further stated that an appropriate amendment was filed with a State of New Jersey as required by law.

MOTION: Upon motion of Mr. Strano, seconded by Mr. Armstead the Board unanimously approved Resolution #96-19 as read and presented. (Resolution #96-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Mikolajczyk - Yes; Mr. Holley - Yes;

Resolution #97-19

Re-Approve a Monitoring Well Encroachment Permit and License Agreement with NuStar Terminals Operations Partnership and their Environmental Consultant, Geosyntec Consultant

Attorney stated that Resolution #97-19 is to re-approve a Monitoring Well Encroachment Permit and License Agreement with NuStar and their Environmental Consultant, Geosyntec. As previously approved by Resolution #44-19 including the Request Letter and draft agreement, after review by counsel to the LRSA it was determined the Agreement was insufficient to protect the LRSA's interests. Therefore, Authority's attorney drafted a Monitoring Well Encroachment Permit and License Agreement, which provides the Permittee and Geosyntec the right to install and monitor the monitoring well subject to certain terms and conditions, as well as adequately protects the LRSA's interests while also ensuring that the Authority adheres to its obligations as required by State of New Jersey Environmental Laws, which is to provide access to LRSA property for remediation of environmental hazardous substances contamination to the property but caused by adjacent land owners. NuStar's environmental consultant who's going to be installing the monitoring well will be the signatory of this Agreement, which they were not originally.

MOTION: Upon motion of Mr. Holley, seconded by Mr. Armstead the Board unanimously approved Resolution #97-19 as read and presented. (Resolution #97-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

Resolution #98-19

Join New Jersey Authorities Joint Insurance Fund Subject to Approval of Assessment

The Executive Director stated that it has been determined that membership in the New Jersey Utility Authorities Joint Insurance Fund is in the best interest of the Authority. Therefore, the Executive Director is recommending that the Governing Body of the Linden Roselle Sewerage Authority does hereby agree to become a member of the FUND for an initial period not to exceed three (3) years, the commencement of which shall coincide with the effective date of the FUND'S operation and coverage, or the effective date of membership, whichever occurs later, for the purpose of establishing the following types of coverage: 1. Workers' Compensations and Employer's Liability; 2. Liability, other than motor vehicle; 3. Property Damage, other than motor vehicle; 4. Motor Vehicle; 5. Public Officials/Employment Practices. Further, that David G. Brown II, is authorized to execute the application for membership and the accompanying certification

Resolution #98-19 (continued)

Join New Jersey Authorities Joint Insurance Fund Subject to Approval of Assessment

on behalf of the Authority, and to represent the Authority as the Fund Commissioner. In addition, the Executive Director stated that there are also many options within the membership provided through the NJUA JIF - such as the training for managers and supervisors as well as office staff and sewer operation employees - most Safety and Loss Control efforts, as well as harassment training with an HR hotline, cyber liability training and a hotline for help with any breach or ransomware and Environmental Engineering services through the EJIF for assistance during a loss, potential loss, questions and resources for DEP regulatory issues and an environmental audit of the facility.

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Armstead the Board unanimously approved Resolution #98-19 as read and presented. (Resolution #98-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

Resolution #99-19

Acceptance of 2020 Assessment

The Executive Director stated that the Authority has previously agreed to join the New Jersey Utility Authorities Joint Insurance Fund (JIF) subject only to the right to approve its assessments following processing and approval of its application. The Fund has certified an annual assessment in the amount of \$360,750.00 for coverage in the New Jersey Utility Authorities Joint Insurance Fund. Therefore the Executive Director is recommending that the Board hereby approve the assessment and ratify its prior agreement to join the Fund which membership shall become effective on January 1, 2020.

MOTION: Upon motion of Mr. Strano, seconded by Mr. Mikolajczyk the Board unanimously approved Resolution #99-19 as read and presented. (Resolution #99-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

BIDS & PURCHASES

Resolution #100-19

Awarding Payroll Services

The Executive Director stated that by Resolution #62-18, after a Request for Proposals, a one-year contract for payroll processing services was awarded to Automatic Data Processing Services, Inc. (ADP) to provide these services in 2019, for a contract amount of not to exceed \$10,500. Local Public Contracts Law allows for the extension of a contract by the mutual agreement of the parties and at the same terms and conditions as the original proposal. ADP Inc. has agreed to extend the contract for one additional year at the same terms and conditions as the original contract. The Executive Director and Staff are recommending that the Board approve award of a contract to ADP Inc. for payroll processing services for the sum of not to exceed \$10,500 for the year 2020.

MOTION: Upon motion of Mr. Armstead, seconded by Mr. Mikolajczyk the Board unanimously approved Resolution #100-19 as read and presented. (Resolution #100-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

BIDS & PURCHASES (continued)

Resolution #101-19

Authorizing Amendment of Contract for Professional Engineering Services to provide Environmental Assessment Services for Flood Resiliency Projects

The Executive Director stated that by Resolution #60-19, the Board retained the services of CDM Smith, to provide Environmental Assessment Services for Department of Housing and Urban funded projects and Non-HUD funded projects. Due to the additional time and the level of effort necessary to develop the project description and address the concerns of the New Jersey Department of Environmental Protection (NJDEP) regarding air quality issues and ongoing services required with regard to the New Jersey Infrastructure Bank (NJIB) funding requirements, the Executive Director and Superintendent are recommending an increase to the scope of work in the original awarded contract and that the awarded contract with CDM Smith in the sum of \$41,800.00 be amended in the amount of \$34,000.00, therefore increasing the contract to a total not to exceed amount of \$75,800.

MOTION: Upon motion of Mr. Strano, seconded by Mr. Mikolajczyk the Board unanimously approved Resolution #101-19 as read and presented. (Resolution #101-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

Resolution #102-19

Authorizing Amendment of Award of a Contract to Provide on-Call Program and Construction Management Services

The Executive Director stated that by Resolution #78-19, the Linden Roselle Sewerage Authority, retained the services of Grant Engineering and Construction Group, LLC to provide on-call Program Management and Construction Management Services for the coordination and successful implementation of the Authority's various Capital Improvements Projects. Furthermore, as part of Program Management efforts, both the Executive Director and Grant Engineering have realized that existing underground utility maps for LRSA are incomplete and do not reflect important underground utilities that are critical to plant operations. The primary purpose of this proposal is to identify, map and distribute an updated utility map to the engineering firms to minimize any conflicts between proposed utilities and existing utilities. The second purpose is to ensure that construction operations do not adversely impact the integrity of existing utilities or restrict access to utilities in the event of an emergency. Therefore, in order to successfully execute this Program Management effort and safely coordinate construction operations among the various engineering firms, the Executive Director and Superintendent are recommending an increase to the scope of work in the original awarded contract and that the awarded contract with Grant Engineering and Construction Group, LLC in the amount of \$90,000.00 be amended in the amount of \$52,000.00, therefore increasing the contract to a total not to exceed amount of \$142,000.00.

MOTION: Upon motion of Mr. Armstead, seconded by Mr. Strano the Board unanimously approved Resolution #102-19 as read and presented. (Resolution #102-19 attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Holley - Yes; Mr. Mikolajczyk - Yes;

PUBLIC COMMENT

No public in attendance.

Tom Laustsen left the meeting due to Executive Session.

**LINDEN ROSELLE SEWERAGE AUTHORITY
MEETING MINUTES
December 18, 2019**

EXECUTIVE SESSION

MOTION: Upon motion of Mr. Holley, seconded by Mr. Mikolajczyk the Board unanimously approved the Resolution to hold an Executive Session to discuss "Litigation and Contract Negotiation Matters" and any other matters as may come before the Members" (at 12:41 P.M., Resolution #08E-19 attached).

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Holley, the Executive Session was closed 1:00 P.M. and the regular business meeting resumed.

Meeting open to the public. Tom Laustsen joined the meeting.

No action has to be taken due to Executive Session.

BILLS AND CLAIMS

Certification and recommendation received from the Executive Director, Purchasing/Contract Manager, and Financial Manager.

Operating Fund

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Armstead the Board unanimously approved payment of the Operating Bills in the amount of \$288,387.54 (Resolution attached)

RECORDED VOTE: Mr. Strano - Yes; Mr. Armstead - Yes;
Mr. Mikolajczyk - Yes; Mr. Holley - Yes;

Renewal and Replacement Fund

MOTION: Upon motion of Mr. Holley, seconded by Mr. Armstead the Board unanimously approved payments of the Renewal and Replacement Bills in the amount of \$55,778.91 (Resolution attached).

RECORDED VOTE: Mr. Strano - Yes; Mr. Holley - Yes;
Mr. Mikolajczyk - Yes; Mr. Armstead - Yes;

ADJOURNMENT

MOTION: Upon motion of Mr. Holley, seconded by Mr. Strano, the meeting was adjourned at 1:03 P.M. and it was ordered that the monthly Board Meeting of the LRSA be held on Wednesday, January 22, 2020 at 12:00 P.M. in the office of the Authority.

RECORDED VOTE: Mr. Strano - Yes; Mr. Holley - Yes;
Mr. Mikolajczyk - Yes; Mr. Armstead - Yes;

THE LINDEN ROSELLE SEWERAGE AUTHORITY

MONTHLY RECEIPTS

November 1, 2019 - November 30, 2019

REVENUE FUND

Non-Major User

City of Linden \$ 247,803.91

Total Non-Major User \$ 247,803.91

Municipality

\$ -

Total Municipality \$ -

Major Industry Users

\$ -

Total Major Industry Users \$ -

Miscellaneous

PSE&G (Mo. Effluent September-19) \$ 20,892.00

Total Miscellaneous \$ 20,892.00

Total Revenue Fund \$ 268,495.91

OPERATING FUND

Northfield Transfer \$ 650,000.00

Total Operating Fund \$ 650,000.00

Escrow Account

Aries Clean Energy \$ -

EWA Linden 4050 LLC (formerly Accordia) \$ 15,000.00

Greek Development (formerly LPH) \$ 65,011.03

IMTT Pipeline \$ 15,000.00

JVM Sales \$ 16,384.63

Escrow Acct. Balance as of 11/30/19 \$ 111,395.66

**LINDEN ROSELLE SEWERAGE AUTHORITY
EXECUTIVE DIRECTOR'S REPORT
December 18, 2019**

DEPARTMENTS

A. MONITORING DEPARTMENT

1. All Annual Sludge Reports were filed on time with the NJDEP and EPA.
2. All annual IPP inspections have been conducted.
3. The rainfall for November 2019 was 1.37", which is less than the October 2019 total of 5.67". The rainfall for 2019 to date is 44.66" compared to 43.28" for the same timeframe in 2018.

B. BUSINESS DEPARTMENT

1. **Revenue**

Residential billing revenue in the amount of \$240,701.75 was received in November 2019 along with \$6,902.16 in interest payments, \$2,182.19 in prepayments. Revenue from PSEG was received in the amount of \$20,892.00.

2. **Expenses**

Currently O & M Expenses YTD as of November 30, 2019 is \$7,644,450 or approximately 81.33% of the total annual budget for O & M. The Authority is approximately 10% below budget.

C. PROJECTS

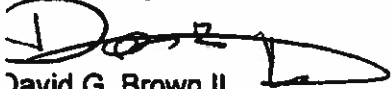
1. **Phase V Building Improvements Project (NJ I-Bank)**

APS Contracting, Inc will proceed with work in the New Year.

2. **Aries Linden, LLC**

Demolition is nearing completion on the Dewatering Facility.

Respectfully submitted,



David G. Brown II
Executive Director

Superintendents Report to the Board **December 2019**

Highlighting Departments

Operations:

1. Plant performance – The plant operated well during November 2019 meeting all permit limits.
2. We did barge in November at 4.7% solids
3. Flows were an average 9.7 MGD with maximum daily flow 13.7 MGD

Maintenance:

1. Performed Monthly Preventive Maintenance, electrical safety checks and normal packing maintenance.
2. worked on polymer pump and discharge line
3. set up sampling shed
4. Defective GFIC at UV and barge building
5. repaired heaters in facility
6. all manometers calibrated
7. repaired lights in board room
8. installed new pump in scum pit.

Laboratory:

1. Mercury samples were sent to outside lab and the results came back as Non-Detect.
2. All monthly quality controls were completed
3. All quarterly checks and QC QA were completed
4. Training was completed for the ICP instrument
5. Autoclave repaired



Respectfully Submitted,
Jeffrey A. Williams Superintendent

ENGINEER'S REPORT FOR NOVEMBER 2019

This report covers the following work activities for the November 2019 reporting period:

1. **TRUST AGREEMENT SERVICES**
2. **STUDY AND REPORT SERVICES**
 - A. 2019 Air Compliance Services
 - B. Environmental Assessment for HUD-CDBG Grant
 - C. E-Builder Program Management Information System
- D. **DESIGN/BID SERVICES**
 - A. UV Disinfection System and Plant Water Pump Upgrades Project
 - B. Emergency Generator Switchgear Replacement
- E. **CONSTRUCTION SERVICES**
 - A. None
- F. **PROPOSALS**
 - A. HUD-CDBG Section 3 – Compliance Support Services

ENGINEER'S REPORT FOR NOVEMBER 2019

This is the November 2019 Engineers Report for the Authority. It discusses those engineering activities that have been undertaken since our previous report of November 19, 2019.

1. TRUST AGREEMENT SERVICES

As reported previously, based on pre-application meeting discussions with representatives of the Authority, NJDEP and the New Jersey Infrastructure Bank (NJIB), CDM Smith continues to assist the Authority with its NJIB H2LOans application. Currently, CDM Smith assists with the Clean Water funding application for multiple WWTP improvement projects. In addition, based on NJDCA and NJDEP direction, CDM Smith continues to support the Authority in qualifying its flood resiliency projects for HUD CDBG-DR grant funding, as well as NJIB funding. Each of these programs has different requirements to meet, one being federal and the other being state. CDM Smith continues assisting LRSA and has completed and submitted the HUD environmental assessment including cultural resources review that also satisfies NJDEP/NJIB funding environmental review procedures. Based on HUD's request, CDM Smith assisted LRSA with preparing its HUD Section 3 plan. HUD Section 3 requires, to the greatest extent possible, the recipient of HUD assistance provide training, employment, contracting and other economic opportunities to low- and very low-income persons and to businesses that provide such opportunities to low- and very low-income persons.

Regarding the Aries Linden Project, continues to participate on the weekly calls with the Aries Team. In addition, design drawings of the existing facilities was provided so Aries can start evaluating/designing the improvements necessary to convey the sludge and scum to their facilities.

As reported previously, the annual inspection was performed on November 8th, 2019. The draft report is currently being prepared.

As reported previously, the annual Stormwater Pollution Prevention Plan inspection was also conducted on November 8th, 2019. As soon as the final training documentation is provided by the Authority, the memorandum will be issued.

2. STUDY AND REPORT SERVICES

A. 2019 Air Compliance Services

The Authority had an onsite audit from a representative of the NJDEP CDM Smith is currently assisting LRSA to investigate a 2016 formaldehyde and other potential Notice of Violations (NOVs) pertaining to Trichloroethylene. CDM Smith provided supplemental information to NJDEP to demonstrate 2016 formaldehyde result should not be considered violation and is an invalid lab result. In addition, CDM Smith is currently investigating other NOVs pertaining to Trichloroethylene. CDM Smith will update the 2018 Air Emission Statement based on the comments received.

B. Environmental Assessment Services for HUD-CDBG Grant

CDM Smith continues assisting the Authority to qualify for funding its capital projects through the New Jersey I-Bank. A HUD-CDBG grant will likely be provided to finance several of the flood resiliency projects. CDM Smith has completed and submitted the HUD-CDBG required environmental assessment. This assessment also addresses NJIB environmental planning requirements. A combined public notice that satisfies three separate but related procedural requirements for activities undertaken by NJDCA including: Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain was published November 29, 2019.

C. **R-Builder Program Management Information System**

CDM Smith continues to provide training to representatives of the Authority and their Program Manager, Grant Engineering.

3. **DESIGN/BID SERVICES**

A. **UV Disinfection System and Plant Water Pump Upgrades Project**

As reported previously, a data request was submitted to the Authority for existing operating data. The data was provided and is currently being analyzed. In addition, CDM Smith contacted three UV disinfection system manufacturers to arrange for bench scale testing of their UV systems using Authority' secondary effluent. Two rounds of samples were collected and shipped to the three manufacturers for recommendations. Recommendations have been received and are consistent between the manufacturers. Existing design drawings were digitized into AutoCAD format. Preliminary design drawings are currently being prepared. CDM Smith is currently working on the 60% Design Documents.

B. **Emergency Generator Switchgear Replacement**

CDM Smith prepared and issued a draft design memorandum for the proposed upgrades. Comments were received. The memorandum has been finalized. The geotechnical boring that is required for the design of the switchgear platform was performed on October 28th, 2019. The samples were evaluated by the laboratory. A site plan was also being prepared. The memorandum summarizing the findings is currently being prepared.

4. **CONSTRUCTION SERVICES**

A. None

5. **PROPOSALS**

A. **HUD-CDBG Section 3 - Compliance Support Services**

- Proposal to provide U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) grant funding Section 3 compliant support services.